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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,716	10/06/2003	Jordan S. Bruntz	P06447US00	2892

27139 7590 10/06/2006

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EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,716

Applicant(s)

BRUNTZ

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/6/03</u> | 6) <input type="checkbox"/> Other: ____ |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4 and 7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dunn (U. S. Pat. 3,620,053)

Re claims 1 and 7 for example, note that Dunn discloses a textile rinse system (see col. 1, lines 56-67) comprising: a textile basket, wherein the interior of the basket is adapted to receive textiles; a motor (12) operatively connected to the basket to provide the capability for spinning of the basket; a spray mechanism (40) positionally located to spray water on the textiles located in the interior of the basket; and a controller (see fig. 2) operatively connected to the motor and operatively connected to the spraying mechanism so that the controller pauses/interrupted the basket from substantially spinning and is adapted for starting spinning of the basket after a pause.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:—

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 5, 6 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of either Kenjo (U. S. Pat. No. 6,247,339) or Torita (U. S. Pat. No. 4,464,914).

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Claims 3, 5, 13 and 15 define over Dunn only in the recitation of the brake for pausing the basket. Kenjo (col. 6, lines 22-29) and Torita (col. 2, lines 44-50) disclose the brake mechanism as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Dunn, to include a brake as taught by either Kenjo or Torita, since Dunn discloses that "various means may be employed for interrupting and resuming the drive to the spin basket" (col. 2, lines 4-11). Re claim 5, Kenjo (col. 8, lines 4) and Torita (col. 2, line 45) disclose the clutch. Re claims 14, 16 and 17 Dunn discloses the spraying mechanism activation as claimed.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of Dyer (U. S. Pat. No. 2,313,928).

Claim 8 defines over Dunn only in the recitation of the use of a cam for assisting in the timing of the basket and spray. Dyer is cited disclosing the arrangement of employing a cam to activate the water supply (see page 6, left col. line 70 thru right col., line 6). It therefore would have been obvious to one having ordinary skill in the art to modify the device of Dunn, to employ a cam as taught by Dyer, since Dunn discloses that various means may be employed for interrupting the basket drive.

6. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of Dyer as applied to claims 7 and 8 above, and further in view of either Kenjo or Torita.

Claim 9 defines over Dunn only in the recitation of the brake for pausing the basket. Kenjo (col. 6, lines 22-29) and Torita (col. 2, lines 44-50) disclose the brake mechanism as claimed. It therefore would have been obvious to one having ordinary skill in the art

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to modify the device of Dunn, to include a brake as taught by either Kenjo or Torita, since Dunn discloses that "various means may be employed for interrupting and resuming the drive to the spin basket (col. 2, lines 4-11). Re claim 10, Dunn discloses the spraying at the basket pause/interruption. Re claim 11 Kenjo (col. 8, lines 4) and Torita (col. 2, line 45) disclose the clutch.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Lyu et al., Japan'595, Kovich et al., Tobita et al., Schwieterman, and Japan'893, note the rinsing means.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls


FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746